

AMENDED IN ASSEMBLY MARCH 31, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 1003

Introduced by Assembly Member Nava

February 22, 2005

~~An act to amend Section 375 of the Water Code, relating to water.~~
An act to amend Section 12 of the Ventura County Watershed Protection Act (Chapter 44 of the Statutes of 1944, Fourth Extraordinary Session), relating to the Ventura County Watershed Protection District.

LEGISLATIVE COUNSEL'S DIGEST

AB 1003, as amended, Nava. ~~Public water suppliers: water conservation program—~~*Ventura County Watershed Protection District.*

Existing law, the Ventura County Watershed Protection Act, authorizes the Ventura County Watershed Protection District to levy an assessment upon all taxable real property in the district to pay the costs and expenses of the district and to carry out any of the objects or purposes of the act. The act also authorizes the district to levy an assessment upon all taxable real property in any of the zones according to the benefits derived, or to be derived, in the respective zones, to pay the costs and expenses of carrying out any of the objects or purposes of the act in the respective zones.

This bill would authorize the district to impose fees on a districtwide or per zone basis for those same purposes.

~~Existing law authorizes a public water supplier to adopt a water conservation program, and, as a part of that program, to require the installation of water-saving devices for water delivered for nonagricultural uses.~~

~~This bill, for the purposes of those provisions, would specify that “water-saving devices” include plumbing fixtures and appliances.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 375 of the Water Code is amended to~~
2 ~~read:~~

3 *SECTION 1. Section 12 of the Ventura County Watershed*
4 *Protection Act (Chapter 44 of the Statutes of 1944, Fourth*
5 *Extraordinary Session) is amended to read:*

6 SEC. 12. The board of supervisors of the district shall have
7 power, in any year *to do any of the following:*

8 1. To levy an ad valorem tax upon all taxable property or an
9 assessment *or fee* upon all taxable real property in the district to
10 pay the costs and expenses of the Ventura County ~~Flood Control~~
11 *Watershed Protection* District and to carry out any of the objects
12 or purposes of this act of common benefit to the district as a
13 whole.

14 2. To levy an ad valorem tax upon all taxable property or an
15 assessment *or fee* upon all taxable real property in each or any of
16 the zones, according to the benefits derived or to be derived by
17 the respective zones, to pay the cost and expenses of carrying out
18 any of the objects or purposes of this act of special benefit to the
19 respective zones, including the constructing, maintaining,
20 operating, extending, repairing, or otherwise improving any or all
21 works or improvements within the respective zones. It is declared
22 that all property within a given zone is equally benefited under
23 this act.

24 The taxes ~~or~~, assessments, *or fees* shall be levied and collected
25 together with, and not separately from, taxes for county purposes,
26 and the revenues derived from the taxes ~~or~~, assessments, *or fees*
27 shall be paid into the county treasury to the credit of the district,
28 and the board of supervisors shall have the power to control and
29 order the expenditure thereof for those purposes; ~~provided,~~
30 ~~however,~~ *except* that no revenues, or portions thereof, derived in
31 any of the several zones from the taxes ~~or~~, assessments, *or fees*
32 levied under the provisions of subdivision 2 of this section shall
33 be expended for constructing, maintaining, operating, extending,

1 repairing, or otherwise improving any works or improvements
2 located in any other zone except as provided in Section 14; ~~and~~
3 ~~provided further, however, that the.~~ The aggregate taxes ~~or,~~
4 assessments, *or fees* levied under this act for any one fiscal year
5 shall not exceed thirty-two cents (\$0.32) on each one hundred
6 dollars (\$100) of the assessed valuation of the taxable property in
7 zone 1, shall not exceed forty cents (\$0.40) on each one hundred
8 dollars (\$100) of the assessed valuation of the taxable property in
9 zones 2 and 4, shall not exceed twenty-seven cents (\$0.27) on
10 each one hundred dollars (\$100) of the assessed valuation of the
11 taxable property in any special zone in addition to the aggregate
12 taxes or assessments levied for zone 1, 2, 3, or 4 and exclusive of
13 any tax ~~or,~~ assessment, *or fee* levied to pay the cost and expenses
14 of any project or facility for importing water into the district or to
15 meet any bonded indebtedness of the zones or district and the
16 interest thereon.

17 ~~The amendment of this section made at the 1987-88 Regular~~
18 ~~Session of the Legislature does not constitute a change in, but is~~
19 ~~declaratory of, the existing law.~~

20 ~~375. (a) Notwithstanding any other provision of the law, any~~
21 ~~public entity which supplies water at retail or wholesale for the~~
22 ~~benefit of persons within the service area or area of jurisdiction~~
23 ~~of the public entity may, by ordinance or resolution adopted by a~~
24 ~~majority of the members of the governing body after holding a~~
25 ~~public hearing upon notice and making appropriate findings of~~
26 ~~necessity for the adoption of a water conservation program, adopt~~
27 ~~and enforce a water conservation program to reduce the quantity~~
28 ~~of water used by those persons for the purpose of conserving the~~
29 ~~water supplies of the public entity.~~

30 ~~(b) With regard to water delivered for other than agricultural~~
31 ~~uses, the ordinance or resolution may specifically require the~~
32 ~~installation of water-saving devices, including, but not limited to,~~
33 ~~plumbing fixtures and appliances, that are designed to reduce~~
34 ~~water consumption. The ordinance or resolution may also~~
35 ~~encourage water conservation through rate structure design.~~

36 ~~(c) For the purposes of this section, "public entity" means a~~
37 ~~city, whether general law or chartered, county, city and county,~~
38 ~~special district, agency, authority, any other municipal public~~
39 ~~corporation or district, or any other political subdivision of the~~
40 ~~state.~~

O